

City Council Introduction: **Monday**, October 27, 2003  
Public Hearing: **Monday**, November 3, 2003, at **1:30 p.m.**

Bill No. 03-174

## **FACTSHEET**

**TITLE:** **CHANGE OF ZONE NO. 3422**, from AG Agricultural District to AGR Agricultural Residential District, requested by Karen Brouwer, on behalf of the owners, on property generally located at S.W. 33<sup>rd</sup> Street and West Denton Road.

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: Consent Agenda: 10/15/03  
Administrative Action: 10/15/03

**STAFF RECOMMENDATION:** Approval.

**RECOMMENDATION:** Approval (7-0: Carlson, Duvall, Krieser, Marvin, Steward, Bills-Strand and Taylor voting 'yes'; Larson absent).

### **FINDINGS OF FACT:**

1. The staff recommendation to approve this change of zone request is based upon the "Analysis" as set forth on p.4, concluding that this request is in conformance with the Comprehensive Plan, wherein the area proposed to be rezoned is shown as Low Density Residential. The staff recommendation also notes that the plat to follow on this property should follow "build-through" requirements.
2. On October 15, 2003, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
3. On October 15, 2003, the Planning Commission agreed with the staff recommendation and voted 7-0 to recommend approval.

**FACTSHEET PREPARED BY:** Jean L. Walker

**DATE:** October 20, 2003

**REVIEWED BY:** \_\_\_\_\_

**DATE:** October 20, 2003

**REFERENCE NUMBER:** FS\CC\2003\CZ.3422

## LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for October 15, 2003 PLANNING COMMISSION MEETING

**P.A.S.:** Change of Zone #3422

**PROPOSAL:** A change of zone from AG Agriculture to AGR Agricultural Residential

**LOCATION:** Generally located at S.W. 33rd St. and West Denton Road.

**LAND AREA:** 133.185 Acres, more or less

**CONCLUSION:** This is in conformance with the adopted 2025 Comprehensive Plan,

**RECOMMENDATION:**

Approval

### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lots 10,11,15,17,18 and 19 I.T. in the SE 1/4 of Section 17, T 9 N, R 6 E of the 6<sup>th</sup> P.M., Lancaster County NE.

**EXISTING ZONING:** AG Agriculture

**EXISTING LAND USE:** Agricultural with one dwelling and an FAA air control facility (runway approach marker).

**SURROUNDING LAND USE AND ZONING:** AGR Agricultural Residential to the west, north, northeast and southeast and AG Agriculture to the south. Agricultural use to the south and acreages to the north, east and west.

**ASSOCIATED APPLICATIONS:** None

**HISTORY:** Change of Zone #2970 from AG to AGR was requested on this property in 1996 and was withdrawn due to issues with paving of SW 33rd. Changed from AA Rural and Public Use to AG Agriculture in the 1979 zoning update.

### **COMPREHENSIVE PLAN SPECIFICATIONS:**

The 2025 Comprehensive Plan shows this as Residential-Low Density on the Land Use Plan. This is shown in the Tier II growth area ( 25-50 year growth area). The plan states;

New urban acreage development is not encouraged in the Plan Vision Tier I areas for Lincoln, except for areas already zoned, previously designated for acreages or under development, in order to provide areas for future urban growth and to minimize the impact on new acreage development. This will reduce the number of acreage homeowners who would be impacted by annexation in the future. Even

though acreages can be designed with infrastructure to city standards, there is still an impact on acreage owners and their families during annexation in terms of changes in school district, the character of the surrounding area and financial implications. Impacts to the acreage homeowners and to the City of Lincoln can be avoided by locating acreages in areas outside of the Tier I areas Page F 70

“New ‘urban acreage’ development should only be permitted in Tier II and Tier III area of Lincoln and near towns under higher design standards based upon a “buildthrough” model and without use of sanitary improvement districts. The “build through” design standards should address, along with other items deemed necessary to the study:

- a preliminary plan lot layout that accommodates first phase low density acreages with rural water and sewer systems. The preliminary plat would also show future lot splits as a second phase to permit the urban infrastructure to be built through and urbanization to occur if and when annexed by a city or town is deemed appropriate. The future lot splits will increase density in an urban form and provide income to property owners to defray the increases in city taxes, services and infrastructure costs;
- a lot layout that meets the various elements of the Comprehensive Plan; and
- a development agreement that runs with the land and acknowledges that the acreage development (i) is not entitled to extra buffering protection greater than the acreage property lines from existing agricultural practices and from future urbanization and (ii) waives any future right to protest the creation of lawful centralized sanitary sewer, water and paving special assessment districts or other lawful financing methods at a later date when urbanization is appropriate.

When the independent study to quantify and qualify the positive and negative economics of acreage development is completed, the county should determine if an impact fee or other development exactions are needed to be sure acreage development is paying its “fair share” of costs. The study should include a review of policy issues and options such as the build-through concept, lot size, acreage standards, acreages and town relationships, acreages and sensitive areas, agriculture, acreage clusters, desired acreage population, acreage size and land use consumption and AGR zoning. (page F79)

**UTILITIES:** There are no utilities or water districts in the area.

**TOPOGRAPHY:** Gently rolling

**TRAFFIC ANALYSIS:** West Denton Rd. is a paved major county road. S.W. 33rd and Pleasant Hill Rd. are paved county roads.

**PUBLIC SERVICE:** This is located in the Southwest Rural Fire District, the station is located approximately 4 miles from this site. This is in the Lincoln Public Schools. Electrical service is by Norris Public Power.

**REGIONAL ISSUES:** Acreage development and cost of service.

**ENVIRONMENTAL CONCERNS:** No historic or ecological resources are identified in this parcel. The soil rating is 5.25 on a scale of 1 to 10 where 1 to 4 are prime agriculture land. This is not prime ag land. Ground water has been available in acceptable quantity and quality on land in the area.

**AESTHETIC CONSIDERATIONS:** NA

**ALTERNATIVE USES:** Agriculture and up to 7 dwelling units (including the existing house).

**ANALYSIS:**

1. This proposal is a request for a change of zone from AG Agriculture to AGR Agriculture residential. This request is shown in the Comprehensive Plan as “yellow”, Low Density Residential.
2. This request is in conformance with the Comprehensive Plan.
3. The land to the west and southeast of this was changed from AG to AGR in 1995 and the land to the northwest was changed to AGR in 1994.
4. Development potential of this land would be 7 dwelling units under the AG zoning and about 44 dwellings under AGR zoning.
5. The “buildthrough” study has not been completed. Any platting should be done to buildthrough standards.
6. No preliminary plat or water information has been submitted with this Change of Zone. A sketch plan for potential future platting is attached. Public Works and Utilities suggested a Preliminary Plat and Final Plat accompany the application.

Prepared by:

Mike DeKalb, AICP  
Planner

September 29, 2003

**APPLICANT:** Karen Brouwer  
4320 W. Raymond Road  
Raymond, NE 68429  
(402) 429-5007

**OWNER:** Brett Quinn and Jennifer Hansen  
3200 West Denton Road  
Lincoln, NE 68523

James /sung Ngu and Annie Chan Onlei  
5431 Northwest 3<sup>rd</sup> Street  
Lincoln, NE 68521

Hoang Ho and James Wood  
2300 West Denton Road  
Lincoln, NE 68523

Marvin N. and Rex B. Hoy  
9130 South 27<sup>th</sup> Street  
Lincoln, NE 68512

**CONTACT:** Karen Brouwer  
4320 W. Raymond Road  
Raymond, NE 68429  
(402) 429-5007

## CHANGE OF ZONE NO. 3422

### CONSENT AGENDA

### PUBLIC HEARING & ADMINISTRATIVE ACTION

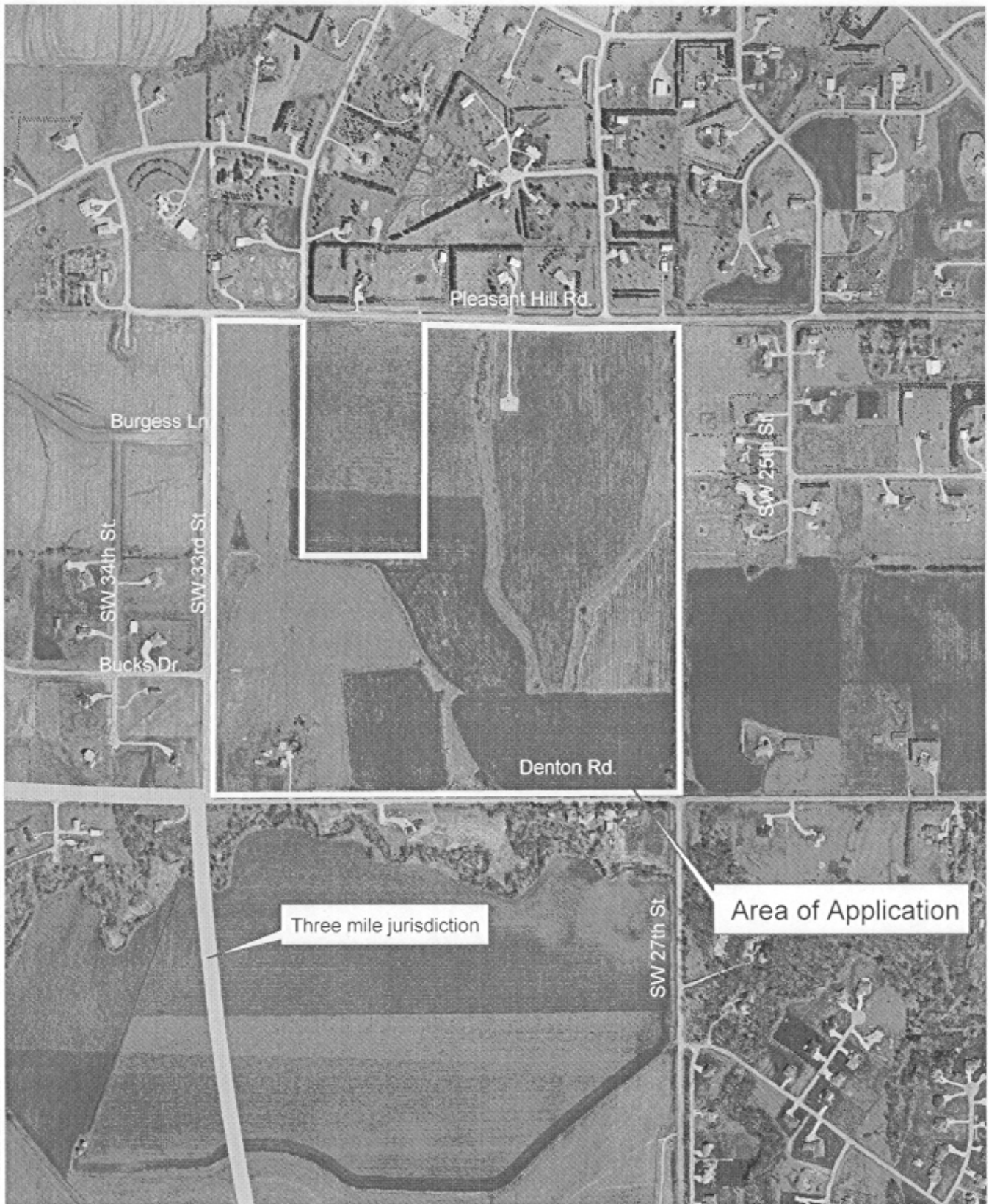
### BEFORE PLANNING COMMISSION:

October 15, 2003

Members present: Carlson, Duvall, Krieser, Marvin, Steward, Bills-Strand and Taylor; Larson absent.

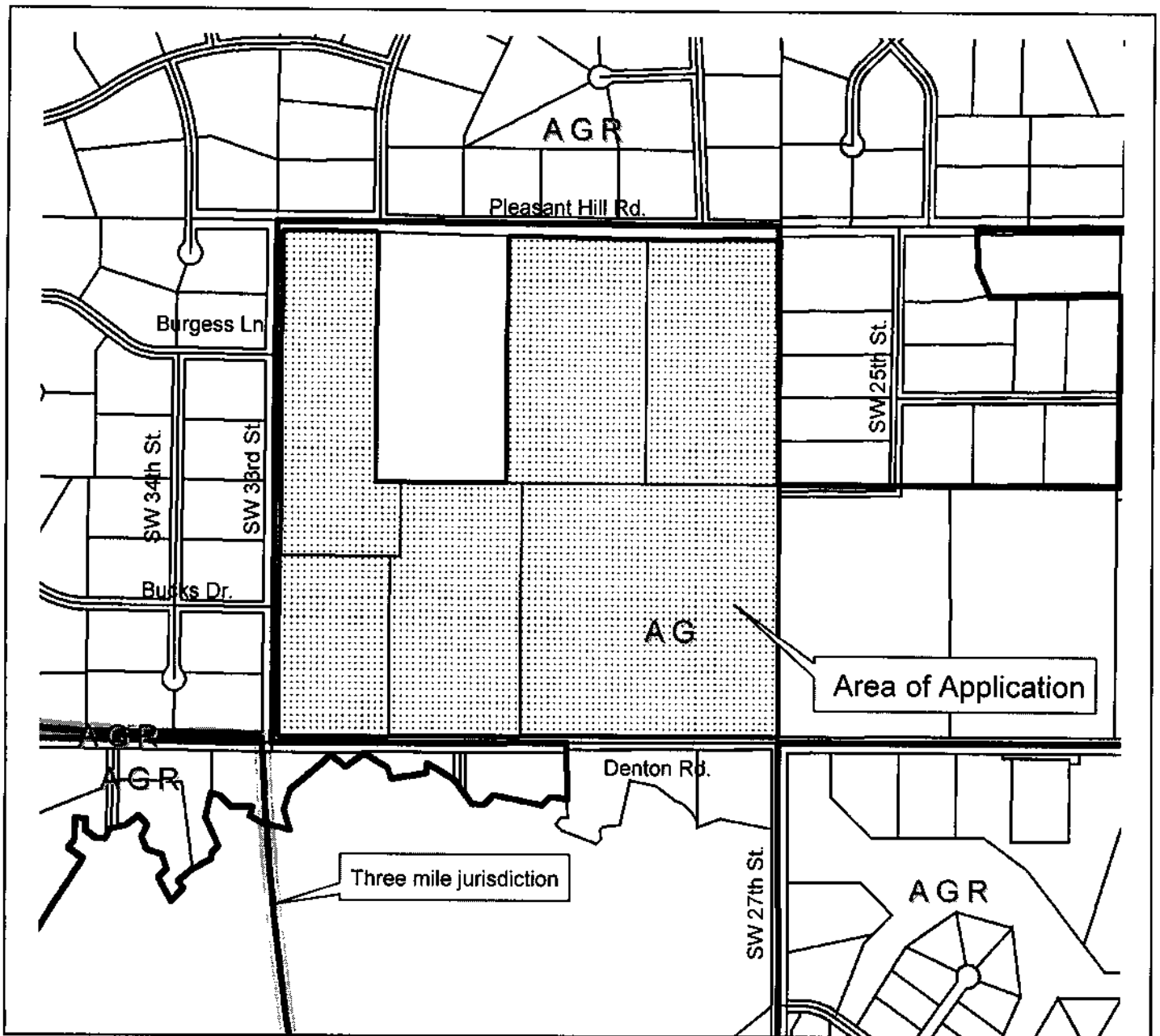
The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 3422** and **CITY/COUNTY FINAL PLAT NO. 03016, VIEW POINTE NORTH.**

Bills-Strand moved to approve the Consent Agenda, seconded by Taylor and carried 7-0: Carlson, Duvall, Krieser, Marvin, Steward, Bills-Strand and Taylor voting 'yes'; Larson absent.



## Change of Zone #3422 SW 33rd & W. Denton Rd.



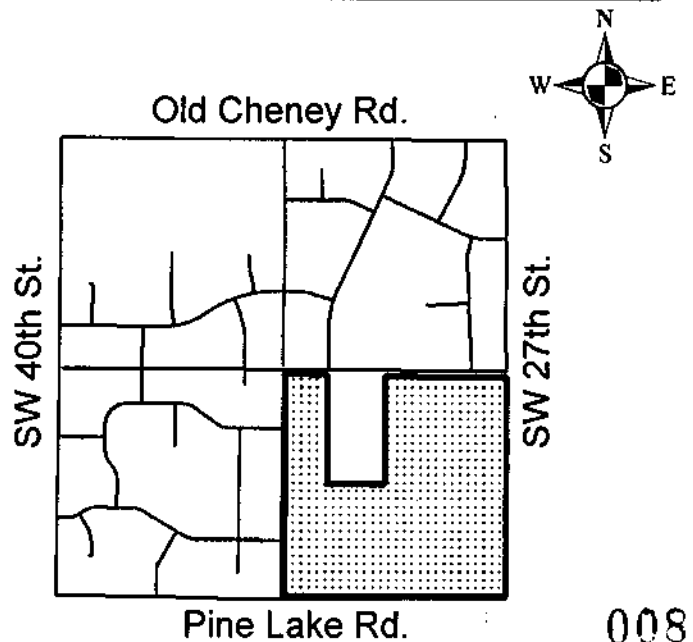
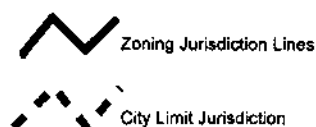


## Change of Zone #3422 SW 33rd & W. Denton Rd.

### Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile  
Sec. 17 T9N R6E



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